

REMARKS/ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Restriction Requirement Response

Examiner requires restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 1 – 7, 20 – 27, 36 – 41, and 43, drawn to determining a client ID and to assigning an agent, classified in class 709, subclass 220;
- II. Claims 8 – 19, 28 – 35, and 42, drawn to balancing a data load on a network, classified in class 709, subclass 226.

Applicants elected Group II with traverse (claims 8 – 19, 28 – 35, and 42).

Applicants hereby withdraw claims 1 – 7, 20 – 27, 36 – 41, and 43.

35 U.S.C. § 112 Rejections

Examiner rejected claims 11, 12, 16, 17, 28, 32, 33 under 35 USC § 112. The rejected claims have been amended to overcome the rejections.

35 U.S.C. § 102 (e) Rejections

Examiner rejected claims 8, 13, 28, 31, and 42 under 35 U.S.C. § 102(e) as being anticipated by Cohen, et al., U.S. Patent No. 6,389,462 (hereinafter “Cohen”).

Claim 8 recites a method of balancing a data load on a network, which includes, (among other operations) sending the remapped request to an origin server. Cohen does not disclose this operation, and therefore does not anticipate claim 8.

Specifically, Cohen discloses a proxy redirector 104 that intercepts all requests from clients connected to a LAN 102 (Col. 6, lines 31-34). The proxy redirector 104 first determines the IP address of the origin server that has been requested by a client. The proxy redirector 104 then alters the request to redirect the request to *a proxy cache 110, rather than the origin server 107 or 109* (Col. 12-19). The proxy caches 110 store the same data that is available from the origin servers 107 and 109. When a specific origin server 107 or 109 is requested, a proxy cache 110 can substitute for the origin server 107 or 109 to provide the data and reduce network traffic.

When the proxy redirector 104 receives a request from a client, the destination address of the request is changed from the address of the origin server 107 or 109 to the address of a proxy cache 110 (Col. 8, lines 11-17). When the proxy cache 110 returns packets to the requesting client, the returned packets also have the source address changed to appear as though the packets came from the origin server 107 or 109 (Col. 8, lines 49-56). As mentioned above, the proxy caches 110 substitute for the origin servers 107 or 109. The system disclosed by Cohen manipulates source and destination addresses to avoid routing network traffic to the origin servers 107 or 109. As a result, Cohen describes a system where *the readdressed client requests never reach the origin server 107 or 109*, unlike the limitations of claim 8, where a remapped request is sent to an origin server. The Examiner cites Cohen at Col. 8, lines 53-56 as disclosing the

“sending the remapped request to an origin server.” However, that section in Cohen merely discloses using the proxy redirector 104 to direct packets to a proxy cache 110.

Therefore, Cohen does not anticipate claim 8.

Claim 28 recites a system which includes a central processor to send a remapped request to an origin server. Claim 42 includes a limitation of a means for sending a remapped request to an origin server. As mentioned above, as disclosed by Cohen, readdressed client requests never reach an origin server. As a result, claims 28 and 42 are not anticipated by Cohen.

Claims 13 and 31 depend from claims 8 and 28, respectively, and therefore include all the limitations of the dependent claims. Therefore, since claims 8 and 28 are not anticipated by Cohen, claims 13 and 31 are also not anticipated by Cohen.

35 U.S.C. § 103 (a) Rejections

Examiner rejected claims 9-12, 14-19, 29 and 32-35 under 35 U.S.C. §103(a) as being obvious over Cohen in view of one or more of Foti, WSP Spec, WTLS Spec, Tyson, and Verkler. Since the independent claims discussed above are not anticipated by Cohen, and none of Foti, WSP Spec, WTLS Spec, Tyson, or Verkler disclose the discussed limitation, claims 9-12, 14-19, 29 and 32-35 are patentable over Cohen and Foti, WSP Spec, WTLS Spec, Tyson, or Verkler.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Arlen M. Hartounian at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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Date: 2/11/05



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Amendments to the Drawings:

Per the Examiner's request, replacement sheets of **Figures 1, 2, 3, and 6** are hereby submitted with the additional legend of –Prior Art-. A marked up set in red ink is also submitted. As mentioned in the specification, **Figures 5, 7, 7A, 7B and 7D** describe embodiments of the invention, and are therefore not prior art. Applicants request that the Examiner cite references to prove that these figures show prior art. Applicants are thereby not attaching the prior art legend to **Figures 5, 7, 7A, 7B, and 7D**.

Figure 1 has been amended to remove callout 110.

Figure 3 is also corrected to include reference sign 302.

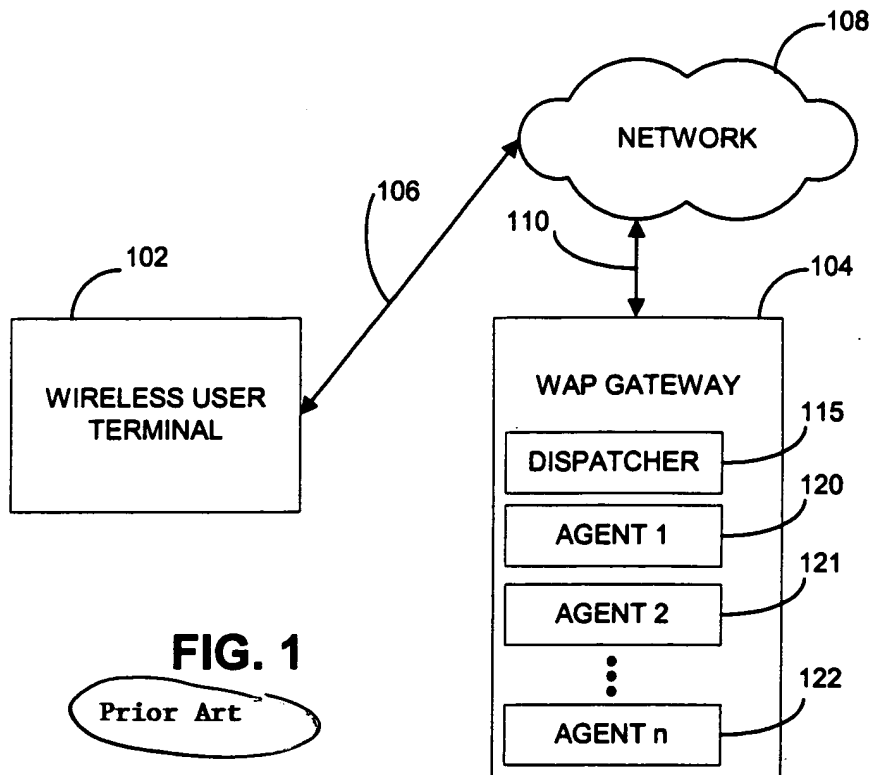


FIG. 1

Prior Art

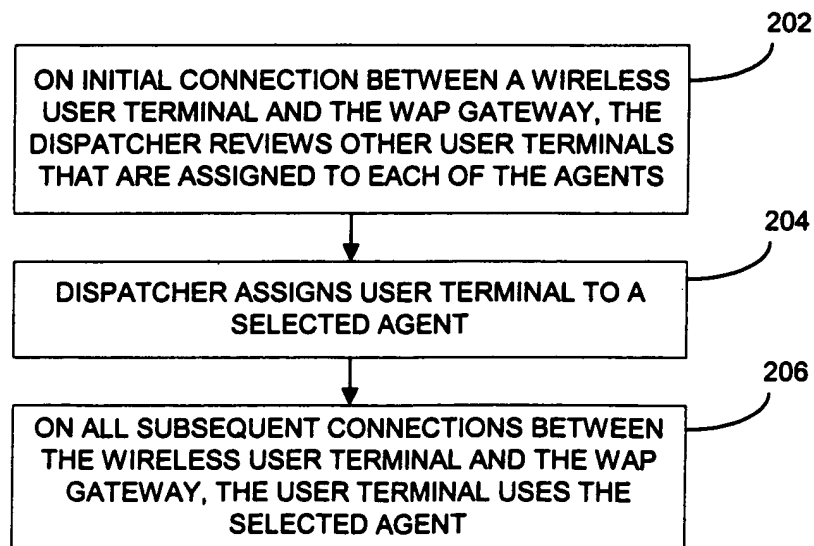


FIG. 2

Prior Art

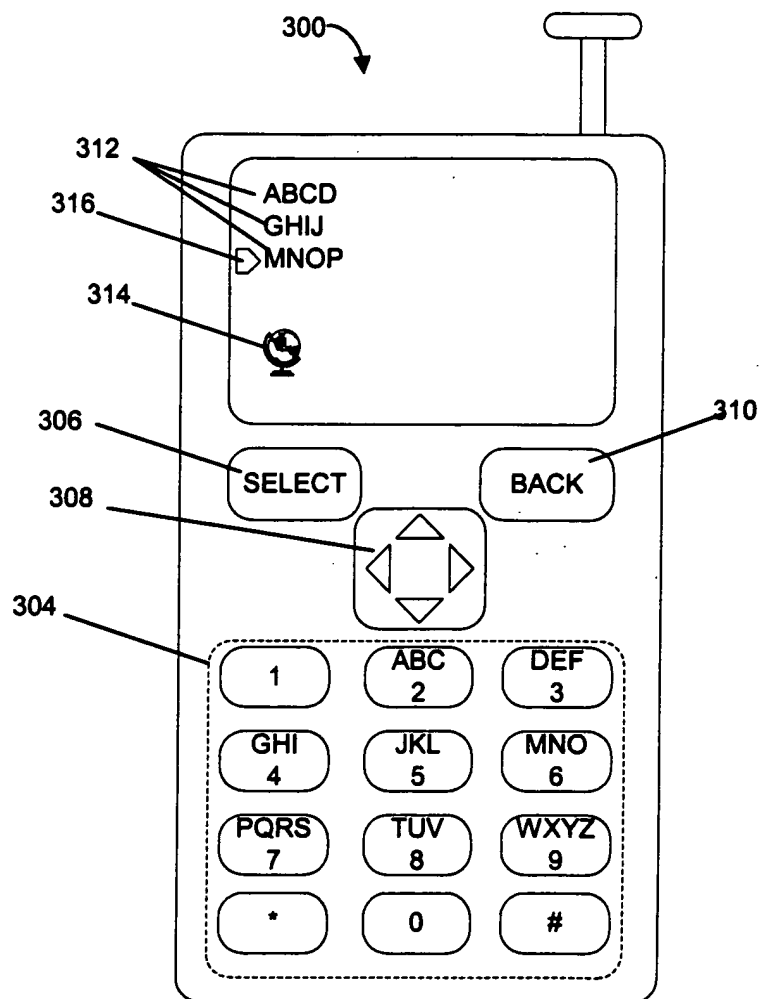


Fig. 3

Priot Art

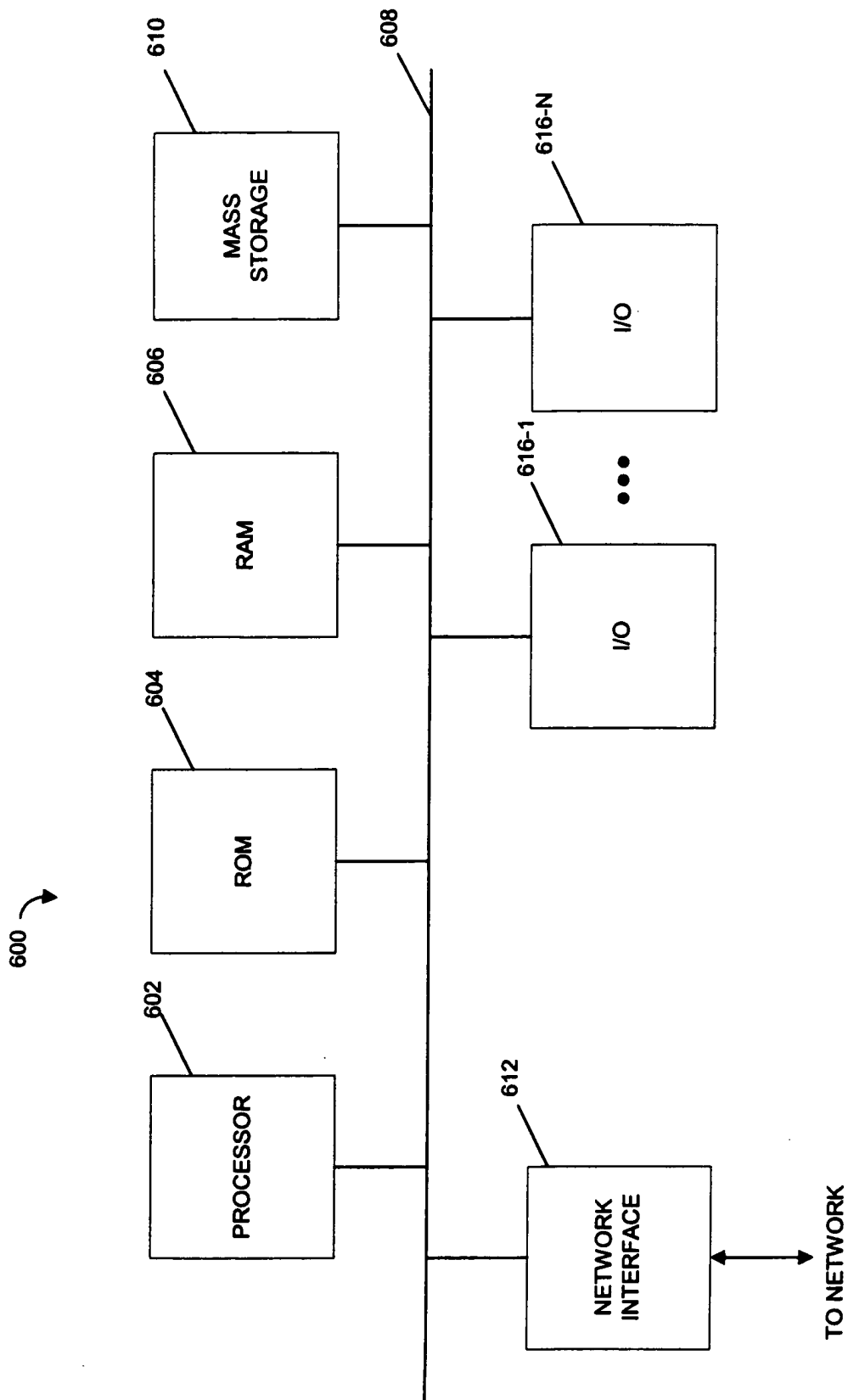


Fig. 6

Prior Art